



## UNITED STATES DEPARTMENT OF EDUCATION

### OFFICE OF THE SECRETARY *FOIA Service Center*

May 23, 2019

Mr. Austin R. Evers  
American Oversight  
1030 15<sup>th</sup> Street NW, Suite B255  
Washington, DC 20005  
[foia@americanoversight.org](mailto:foia@americanoversight.org)

RE: FOIA Request No. 19-01169-F

Dear Mr. Evers:

This letter is an interim response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated March 28, 2019 and received in this office on March 29, 2019. Your request was forwarded to the appropriate office to search for documents that may be responsive to your request.

You requested the following:

A copy of the following documents and/or documents containing the following information be provided:

1. Any common interest agreement or joint defense agreement executed between the U.S. Department of Education and Navient Corporation, or its corporate affiliates or subsidiaries, which Education believes extends protection, or may extend protection, to communications with Navient or its attorneys regarding the litigation in Consumer Financial Protection Bureau v. Navient Corporation et al., Case No. 3:17-cv-00101-RDM (M.D. Pa filed Jan. 18, 2017) or investigations or actions commenced by the attorney general of any state or the District of Columbia.
2. All records memorializing or reflecting the existence, scope, or terms of any common interest agreement or joint defense agreement between the U.S. Department of Education and Navient Corporation, or its corporate affiliates or subsidiaries, which Education believes extends protection, or may extend protection, to communications with Navient or its attorneys regarding the litigation in Consumer Financial Protection Bureau v. Navient Corporation et al., Case No. 3:17-cv-00101-RDM (M.D. Pa filed Jan. 18, 2017) or investigations or actions commenced by the attorney general of any state or the District of Columbia.

Please provide all responsive records from January 1, 2017, through the date of the search.

Staff from Federal Student Aid (FSA) informed this office (FSC) that after a search of their files, they were unable to locate any documents that were responsive to your request.

At this time, the Department is continuing to process your request, and your FOIA request case file remains open. It will not close until the Department provides you with a response regarding outstanding responsive documents from OGC. Our final release letter will contain information related to your appeal rights of agency decisions.

If you have any questions, please contact me at (202) 401-8365, or you may send an e-mail to [EDFOIAManager@ed.gov](mailto:EDFOIAManager@ed.gov).

Sincerely,



Christie D. Swafford  
Government Information Specialist, OS